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Atty Dkt. No.: LIFE-005

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PETITION TO WITHDRAW DUE TO NEW ART <u>37 C.F.R § 1.313</u> Address to: Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket	LIFE-005 (LFS-95)
	First Named Inventor	DEBRECZENY, MARTIN P.
	Application Number	09/586,692
	Confirmation No.	5779
	Filing Date	June 1, 2000
	Group Art Unit	2877
	Examiner Name	TURNER, SAMUEL
	Title: Dual Beam FTIR Methods and Devices for Use In Analyte Detection in Samples of Low Transmissivity	

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OFFICE OF PETITIONS

Sir:

Applicants hereby petition the Commissioner of Patents and Trademarks to withdraw the above-identified patent application from issue, in order to permit the filing of an RCE.

Under 37 CFR 1.56. *Duty to disclose information material to patentability* "(a) . . . The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned."

Applicants paid the issue fee for the above-identified patent application on March 14, 2005.

Applicants received an European Examination Report on March 23, 2005, which cited 3 documents as being relevant to patentability, and one document was not previously known to Applicants.

Applicants therefore respectfully request the granting of this petition, in order to allow Applicants to file an Information Disclosure Statement for the newly cited art.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number LIFE-005.

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Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: March 29, 2005

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